04-18-05



Express Mail. No.: EV452775078US IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Oshlack et al.

Confirmation No.:

7218

Serial No.:

10/706,496

Art Unit:

1617

Filed:

November 12, 2003

Examiner: Edward J. Webman

For:

CONTROLLED RELEASE

Attorney Docket No.:

305158-999276

OXYCODONE COMPOSITIONS

(6750-278-999)

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

Enclosure accompanying this Information Disclosure Statement is a List of References Cited by Applicants (References C82-C90).

This application is a continuation application under 37 C.F.R. §1.53(b) or (d). Copies of the above references were submitted by Applicants in prior Application No. 10/163,484, filed June 5, 2002; 09/933,411, of which this application claims priority under 35 U.S.C. §120. Therefore, copies of these references are not being submitted pursuant to 37 C.F.R. §1.98(d). However, should the Examiner request a copy of Reference C82, Applicants would be happy to provide the reference.

This Information Disclosure Statement supplements the Information Disclosure Statement filed on November 12, 2003 and March 17, 2005.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R §1.97(b), but before the mailing date of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application. The Commissioner is hereby authorized to charge the \$180.00 fee set forth in 37 C.F.R.

§1.17(p) and any other fees that may be due in connection with this filing to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

No admission is made that the information cited in this Statement is, or is considered to be, material to patentability and no representation is made that a search has been made. 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: April 14, 2005

31,636

(Reg.

**JONES DAY** 

No.)

222 East 41st Street

New York, New York 10017

(212) 326-3939

**Enclosures** 



## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.	APPLICATION NO.
305158-999276	
(6750-278-999)	10/706,496
APPLICANT	

1617

Oshlack et al.

FILING DATE GROUP

November 12, 2003

## **U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	:						

	FOREIGN PATENT DOCUMENTS							·
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSL	ATION
							YES	NO
•								

C82	Conrad et al. Sustained drug release from tablets and particles through coating <i>in</i> Pharmaceutical Dosage Forms-Tablets (Lieberman et al., eds). 1982. 3(4):149-221.
C83	TY 11 TO 1
C84	Endo's Initial Post-Trial Brief dated 7/25/2003 in Purdue Pharma L.P. et al. v. Endo Pharmaceuticals Inc. et al. v. Euroceltique S.A., 00 Civ8029 (SHS); 01 Civ2109 (SHS); and 01-Civ8117 (SHS).
C85	Endo's Post-Trial Proposed Findings of Fact dated 7/25/2003 in Purdue Pharma L.P. et al. v. Endo Pharmaceuticals Inc. et al. v. Euroceltique S.A., 00 Civ8029 (SHS); 01 Civ2109 (SHS); and 01-Civ8117 (SHS).
C86	T 1 1 D T 1 T 1 T 1 T 1 T 1 T 1 T 1 T 1
C87	
C88	D. I. C. J. D. C. C. M. I. J. G. G. C. C. D. J.
C89	
C90	Purdue's Reply Brief After Trial dated 8/8/2003 in Purdue Pharma L.P. et al. v. Endo Pharmaceuticals Inc. et al. v. Euroceltique S.A., 00 Civ8029 (SHS); 01 Civ2109 (SHS); and 01-Civ8117 (SHS).

EXAMINER	DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.